



राजपत्र, हिमाचल प्रदेश

हिमाचल प्रदेश राज्यशासन द्वारा प्रकाशित

खंड III]

शिमला, शनिवार, 31 दिसम्बर, 1955

[संख्या 53]

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भाग 1—वैधानिक नियमों को छोड़ कर हिमाचल प्रदेश के उपराज्यपाल और जुडिशल कमिश्नरज कोर्ट द्वारा अधिसूचनाएं इत्यादि

JUDICIAL COMMISSIONER'S COURT

Simla-1, the 21st December, 1955

NOTIFICATIONS

Simla-1, the 21st December, 1955

No. J. C-4(6)/52.—In exercise of the power conferred by Section 139 (b) of the Code of Civil Procedure Act V of 1908, the Judicial Commissioner, Himachal Pradesh, has been pleased to appoint for a period of two years from 31st December, 1955, Shri Rattan Lal, pleader, Mandi, as Commissioner for administering Oaths and affirmations to deponents of affidavits under the said Code in accordance with the terms specified in paragraph 5 of Chapter 12-B, High Court Rules and Orders, Volume-IV, as applied to Himachal Pradesh, within the local limits of Mandi, District Mandi, Himachal Pradesh.

No. J. C-IRO/49/III.—In exercise of the powers conferred under Article 227 of the Constitution of India read with the Judicial Commissioner's Courts (Declaration as High Courts) Act, 1950, and para 42 (c) of the Himachal Pradesh Courts Order, 1948, the Judicial Commissioner, Himachal Pradesh, with the previous approval of the Lieutenant Governor, Himachal Pradesh, is pleased to make the following amendments in Rule-5, Chapter 16-C, Vol. IV and sub-paras (a) and (b) Rule-4, Chapter 5-A, Volume V, of the Punjab High Court Rules and Orders as applied to the Himachal Pradesh State, vide this Court's Notification No. J. C-IRO./II/1950, dated 28th June, 1950, published in the Government of India Gazette, Part III,

Section 3, dated 8th July, 1950 :

Vol. IV, Chapter 16-C

In rule 5, for the words 'One Rupee' substitute the words 'Two Rupees' and for the words 'Two Rupees' substitute the words 'Four Rupees'.

Vol. V, Chapter 5-A

In sub-para (a) rule-4, for the figure 'Rs. 1', substitute the figure 'Rs. 2'.

In sub-para (b) rule-4, for the figure 'Rs. 5, substitute the figure 'Rs. 10'

CORRIGENDUM

Simla-4, the 26th December, 1955

No. J. C-IRO/49/III.—In this Court's Notification No. J. C. IRO/49/III, dated the 6th December, 1955, substitute the word "excluding" for the word "including" occurring between the words "Criminal Courts" and "the Courts of District & Sessions Judges."

By order,
H. L. SONI,
Registrar.

HIMACHAL PRADESH GOVERNMENT

Establishment Branch

OFFICE ORDER

Simla-4, the 22nd December, 1955

No. A-107-733/55.—The following local holidays will be observed in Himachal Pradesh Secretariat and attached offices during the year 1956 :—

- | | | |
|--|-----|------------|
| 1. Sipi Fair | .. | 14-5-1956 |
| 2. Lavi Fair | .. | 10-11-1956 |
| 3. Death Anniversary of
L. Lajpat Rai | ... | 17-11-1956 |

NOTIFICATIONS

Simla-4, the 24th December, 1955

No. A-37-94/53.—Shri Man Singh Jandrotia, Chief Superintendent, Himachal Pradesh Secretariat, resumed charge of that post on the forenoon of 9th December, 1955, after undergoing training in the Secretariat Training School, Government of India, Ministry of Home Affairs, New Delhi, from the 18th April, 1955, (F.N.) to the 30th November, 1955, (A.N.) (He availed of 8 days' casual leave with effect from the 1st December to 8th December, 1955).

Simla-4, the 22nd December, 1955

No. A-107-733/55.—The Lieutenant Governor, Himachal Pradesh, has been pleased to declare public holidays, as specified in the schedule below to be observed in this State during the year, 1956.

The maximum number of local holidays for important festivals or fairs peculiar to particular places has been fixed at three.

SCHEDULE

Name of Holiday	Date	Day of the Week	No. of Holidays
New Year's Day	1st January	Sunday	1
Republic Day	26th January	Thursday	1
Basant Panchami	16th February	Thursday	1
Himachal Swatantrata Sangram Devas	18th February	Saturday	1
Shiv Ratri	10th March	Saturday	1
Holi	26th March	Monday	1
Good Friday	30th March	Friday	1
Baisakhi	13th April	Friday	1
Himachal Day	15th April	Sunday	1
*Id-ul-Fiter	12th May	Saturday	1
Budh Purnima	24th May	Thursday	1
*Id-ul-Zuha	19th July	Thursday	1
Independence Day	15th August	Wednesday	1
Muharram	18th August	Saturday	1
Raksha Bandhan	21st August	Tuesday	1
Janam Ashtami	29th August	Wednesday	1
Mahatma Gandhi's birthday	2nd October	Tuesday	1
Dussehra	8th to 14th October	Monday to Saturday	6
Maharishi Balmiki's birthday	19th October	Friday	1
Diwali	2nd and 3rd November	Thursday & Friday	2
Tikka (Vir Puja)	4th November	Saturday	1
Guru Nanak Dev's birthday	18th November	Sunday	1
Christmas Day	25th December	Tuesday	1
Total			29 days

*for Muslim employees only.

K. N. CHANNA, I.A.S.,
Chief Secretary.

Simla-4, the 24th December, 1955

No. A-67-5/48.—Shri J. N. Saini, ex-Animal Husbandry Officer, Himachal Pradesh, is granted 24 days' leave on Average Pay with effect from the 16th March, 1955, to the 8th April,

1955, in continuation of 23 days' leave on Average Pay from the 21st January, 1955, to the 15th March, 1955, granted to him *vide* notification of even number, dated the 9th April, 1955.

By order,
K. N. CHANNA, I. A. S.,
Chief Secretary.

Home, Gazette & Transport Department

NOTIFICATIONS

Simla-4, the 22nd December, 1955

No. HGT-102-22/52.—Continuation Himachal Pradesh Government Notification of even number dated the 9th August, 1955.

2. The Lieutenant Governor, Himachal Pradesh, in consultation with the Union Public Service Commission is pleased to extend the temporary appointment of Shri D. E. Rowe as Automobile Engineer in the Transport Deptt., Himachal Pradesh, in the scale of Rs. 500-30-800 for a further period commencing from the 1st December, 1955, to the 31st March, 1956, or till the Commission's nominee becomes available for appointment to the post, whichever is earlier.

By order,
K. N. CHANNA, I.A.S.,
Secretary (Transport).

Simla-4, the 24th December, 1955

No. HGT-4-29/52-III.—In exercise of the powers conferred by Section 30 of the Cr. P. C. 1898, the Lieutenant Governor, Himachal Pradesh, is pleased to invest Shri Mahabir Singh, a Magistrate of the 1st class in the Mandi District, with powers to try as a Magistrate all offences not punishable with death with immediate effect.

SHIV SINGH, P. C. S.,
Assistant Secretary (Home).

Education Department

NOTIFICATION

Simla-4, the 9th December, 1955

No. E-32-125/54.—In pursuance of sub-section (i) of section 14 of the Himachal Pradesh Compulsory Primary Education Act, 1953 (Act No. 7 of 1954) prior to final formulation of rules thereunder, the Lieut.-Governor, Himachal Pradesh, is hereby pleased to order the publication of the following draft rules for the information of all persons likely to be affected thereby. The draft rules will be taken into consideration on or after the 10th January, 1956, together with any objection or

suggestion which may be received with respect to it before that day.

The Himachal Pradesh Government propose to frame Rules under section 14 of the Himachal Pradesh Compulsory Primary Education Act, 1953 (Act No. 7 of 1954) and accordingly a draft of the Rules is hereby published for the information of all persons likely to be effected thereby as required by sub-section (1) of section 14 of that Act. The draft will be taken into consideration on or after 20th October, 1955, together with any objection or suggestion which may be received with respect to it before that day.

The Government of Himachal Pradesh shall appoint School Committees throughout Himachal Pradesh. These committees shall be under the Attendance Officers who will be the Headmasters of the local schools.

2. Each School Committee shall consist of five persons (three of whom shall form a quorum) nominated by the Government. The names of such persons shall be notified for the information of the public. The Committee shall appoint, by election or nomination, one of its members to act as Secretary of the School Committee.

3. The School Committee shall elect a President from among its members.

4. Each School Committee shall meet once at least every month or more often, if necessary, and a member who fails to attend three consecutive meetings shall be considered to have vacated his seat, unless his absence is condoned by the President of the School Committee.

5. All vacancies in the membership of the School Committee shall be filled by the Government.

6. An extraordinary meeting of the School Committee shall be held at any time on the written requisition of any two of its members, addressed to the Attendance Officer who shall thereupon call a meeting of the said Committee within two days of the receipt of such requisition.

7. The School Committee shall hold its meeting at a place that the School Committee may decide.

8. The School Committee shall be responsible for the annual revision of the list of boys of compulsory school-age residing within portion of the area for which it has been appointed. This revision shall be made by the School Attendance Officer and the revised list shall be published in February of each year. All changes in or additions to the list shall be attested by a member of the School Committee.

9. It shall be incumbent on the parents of boys/girls of compulsory school age to supply correct information to the Attendance Officer with regard to the age, etc., of such boys/girls.

10. Should a boy/girl not appear at the School within seven days of the day appointed for his admission, or should a boy/girl already admitted be absent from School for seven days without legitimate reason, the Headmaster of the School concerned shall notify the fact to the School Committee.

11. Each boy/girl attending a recognised school is required to attend the school for at least three hours in a working day and for at least 75% of the working days during a month.

12. The School Attendance Officer shall be responsible for the conduct of such work as is assigned to him by the Government.

13. The School Committee shall determine which of the students are to be provided with books, slates and other school materials, on account of the poverty of their parents.

14. The School Committee in its area shall assist in explaining the measures to parents and shall maintain census of children of compulsory school-age.

15. The School Committee shall persuade the parents to improve and secure attendance of pupils. The Attendance Officers will prepare a list of children attending the Schools and forward the same quarterly to their respective District Inspector of Schools, who will, in turn, consolidate the same and transmit it to the Deputy Director of Education, Himachal Pradesh.

16. The School Committee will exercise its jurisdiction within a radius of two miles of the schools.

17. The courses of reading in Primary Schools will be as prescribed by the Deputy Director of Education, Himachal Pradesh.

18. The Primary Education shall be free throughout Himachal Pradesh but pecuniary assistance will be given in indigent circumstances only for the purpose indicated at Rule 13 above.

19. The Government of Himachal Pradesh shall provide full facilities in the enforcement of compulsory primary education.

20. The public notice of the Notification will be given through the Deputy Commissioners as follows:—

(a) Through the Field staff i.e. Tehsildars, Naib-Tehsildars, Patwaris and Nam-bardars, etc.

(b) Through the beat of drums.

(c) Through Posters displayed at conspicuous places.

(d) Through the Press.

By order,

SHIV SINGH, P. C. S.,

Assistant Secretary.

Finance Department

NOTIFICATION

Simla-4, the 26th December, 1955

No. Fin-44-6/53-II.—The Lieutenant Governor, Himachal Pradesh, is pleased to order that from the date of the publication of this notification, the following securities set afloat by the Government of India can be utilized for payment of State Government dues in accordance with the provisions of Rule 'L' of the Post Office National Savings Certificates Rules, 1954, as indicated against each:—

- | | |
|---|--|
| | At any time after |
| (1) Post Office 12-Year National Savings Certificates | 18 months in case of Rs. 10 and higher denominations and 12 months in case of Rs. 5 denomination from the date of purchase of the certificate. |
| (2) Post Office 10-Year National Plan Certificates. | At any time after 12 months from the date of purchase of the certificate. |

2. In case any holder intends to utilize National Savings/Plan Certificate for this purpose, he should fill in a (prescribed form obtainable from any post office) and present them duly discharged together with the form duly filled into the official to whom payment of such Government dues is to be made. In the event of the holder being illiterate, his thumb impression on the certificate (s) and on the above mentioned prescribed form should be attested by a Government official. The official to whom payment is authorised should keep in his personal custody the certificate along with the form of authorization until it is sent to the post office (where the certificates are registered) for encashment. No interest will accrue on such certificates after the expiry of three months from the date the form of authorization is signed. The officer to whom payment is authorised should without any loss of time encash the certificates from the post office where it is registered.

3. The value of a National Savings/Plan Certificate for the payment of Government dues will be its surrender value at the date of payment. The surrender values are clearly shown on the reverse of each certificate.

4. In case the actual amount realizable from the holder is less than the surrender value of the certificate on the date of presentation he shall be entitled to the refund of the balance due to him.

5. The interest that will accrue after the date of surrender of a National Savings Certificate in payment of Government dues if the certificate is not encashed at once is creditable to the Revenue of the State, as the holder of the certificate, after the date the certificate is tendered, has no claim on the amount of the certificate and the interest accrued thereon.

C. D. SHARMA,
Secretary.

Law Department

NOTIFICATIONS

Simla-4, the 2nd December, 1955

No. LR-62-39/53.—The Small Town Committee Sundernagar, in exercise of the powers under section 29 of the Punjab Small Town Act, 1921, as applied to Himachal Pradesh has made the following amendments in the octroi Schedule published vide Himachal Pradesh Government Notification No. (1) LR-62-39/53, dated the 9th June, 1953, with the previous approval of the Lieutenant Governor, Himachal Pradesh, which are published for general information and shall come into force with effect from the 1st January, 1956.

AMENDMENT

Item No.	Name of article	Existing Rates	Revised Rates
1	2	3	4
		Rs. A. P.	Rs. A. P.
1	Pulses (Dal)	0 1 0 per md.	0 2 0 per md.
3	Sugar etc.	1 0 0 ,,	0 8 0 ,,
4	Rab & Shira	0 10 0 ,,	0 2 0 ,,
(4a)	Sugar not other wise Specified including gur, Shakkar, Minja Talauncha, Molasses & Sugar cane juice	0 10 0 ,,	0 8 0 ,,
9	Hydrogenated oils used as substitute of ghee	0 1 0 per rupee	0 0 6 per rupee
31	All kinds of foreign and Country Liquor	0 0 6 ,,	0 12 0 per gallon

	1	2	3	4
			Rs. A. P.	Rs. A. P.
33	Opium	0 0 3	per rupee	0 2 0 per Tola
50	Silk and artificial piece goods velvet & woolen piece goods	0 0 6 ,,		0 0 4 per rupee
51	Cotton and linen piece goods including Newar	0 0 6 ,,		0 0 4 ,,
60	Matches	0 0 6 ,,		0 0 3 ,,
61	Retha	0 8 0	per md.	0 4 0 per md.
93	Kerosine oil	0 0 9	per gallon	0 0 6 per gallon
102	Khasia Mitti etc. including Khud Sand	0 1 0	per md.	0 0 3 per md.
129	Black Salt	—		0 0 9 per md.
130	Other Salts	—		0 2 6 ,,

By order,
H. R. MAHAJAN,
Assistant Secretary (Local self).

Simla-4, the 24th December, 1955

No. LR-110-27/54.—The Lieutenant Governor, Himachal Pradesh, is pleased to grant 31 (thirty one) days' earned leave to Shri N. D. Gupta, Government Advocate, Bilaspur District, with effect from the 17th November, 1955 to 17th December, 1955, with permission to prefix and suffix 13th November, 1955 as Sunday, and Public holidays on the 14th, 15th and 16th November, 1955 on account of Dewali and Vir Puja, and the 18th December, 1955 as Sunday.

Simla-4, the 26th December, 1955

No. LR. 17-63/54. - In accordance with the provisions of section 4(3) of the Punjab Small Town Act 1922 as applied to Himachal Pradesh, it is hereby notified that following persons have been elected under section 4(2) of the said Act, as members of the Small Town Committee Theog in the Mahasu District in accordance with the rules made in that behalf by the Government of Himachal Pradesh.

- (1) Shri Shiam Singh (Ward No. 1).
- (2) Shri Gurdas Ram s/o Shri Jagan Nath Brahaman, Advocate, Theog (Ward No. 2).
- (3) Shri Roshan Lal Joshi, s/o Shri Pohlu Ram Theog (Ward No. 3).
- (4) Shri Kartar Chand s/o Shri Ghilu Mal Sud, Advocate Theog, (Ward No. 4)

(5) Shri Roshan Lal Kashyap, s/o Shri Munshi Ram, Theog.

(6) Shri Naranjan Singh s/o Shri Hazura Singh, Ramdasia, Theog (Scheduled Caste).

Simla-4, the 26th December, 1955

No. LR. 1-77/55. -In exercise of the powers under section 3 (b), of the Hindu marriage Act, 1955, read with Government of India notification No. S.R.O. 2063, dated the 19th September, 1955, the Lieutenant Governor, Himachal Pradesh is pleased to declare the Courts of the Senior-Subordinate Judges in Himachal Pradesh, as District Courts for all the matters dealt under the Hindu Marriage Act, 1955, and will have jurisdiction within their respective Civil Districts.

By order,

B. D. SHARMA,
Assistant Secretary (Judicial).

Medical Department

NOTIFICATIONS

Simla-4, the 24th December, 1955

No. M-65-275/55.—Dr. V. N. Mathur, M. B. B. S., D. O. M. S., is appointed as temporary Civil Assistant Surgeon I (Gazetted)-E. N. T. Specialist. @ Rs. 250 p m. in the scale of Rs. 250-20-330/20-430/20-550 for a period of one year with effect from the 20th October, 1955 (forenoon).

By order,

C. D. SHARMA,
Secretary.

Simla-4, the 27th December, 1955

No. M. 65-544/53. -The re-employment of Dr. Gian Chand, as Civil Assistant Surgeon, Class I (Gazetted) notified in Gazette Notification No. M. 61-34/50, dated the 1st April, 1953, was extended to 31st October, 1954.

Simla-4, the 27th December, 1955

No. M-65-212/52. -In continuation of Government Notification No. M-65-212/52, dated the 12th October, 1955, Dr. (Mrs.) Kamla Pandiya, Lady Civil Assistant Surgeon I (Gazetted), Civil Hospital Sundernagar, is granted 2 days' extension of earned leave for 6th and 7th October, 1955.

By order,

H. R. MAHAJAN,
Assistant Secretary (Medical).

Panchayat Department

NOTIFICATION

Simla-4, the 22nd December, 1955

No. CS. 70.63/54.—*Corrigendum to notification No. CS. 70-63/64, dated the 31st March 1955.*

1. At serial No. 3 under column 7(1) substitute Range Officer Lower Pabbar for Range Officer, Rohru.
2. At serial No. 7 under column 7(1) substitute Range Officer, Kuthar for Range Officer, Solan.

By order,

FATEH SINGH
Secretary.

Public Works Department

NOTIFICATION

Simla-4, the 27th December, 1955

No. PW-59-33/55-43517—Shri William F. Desouza overseer Incharge Electrical Sub-division, Mahasu is hereby promoted as Officiating Assistant Engineer, in the scale of Rs. 250-25-550/25-750 with effect from the date of issue of orders.

G. R. NANGEA,
Secretary.

Revenue Department

NOTIFICATIONS

Simla-4, the 14th December, 1955

No. R. 86-73/52.—The Financial Commissioner, Himachal Pradesh, with the previous sanction of the Lieutenant Governor, Himachal Pradesh is pleased to make the Rules as in the Annexure to regulate the supply of copies of record under the control of Deputy Commissioners in Himachal Pradesh.

These rules shall come into force with effect from 1st December, 1955 in supersession of all previous rules on the subject.

ANNEXURE

1. INTRODUCTORY

1. Title.—These rules shall be called the Copying Agency Rules for the offices of Deputy Commissioners in the Himachal Pradesh.

2. Definition.—In these rules—

- (a) "Records" means and includes any portion of a record and any document, map, plan or other paper attached to, or forming part of the record of a suit, appeal, enquiry, trial or other proceeding in any Civil, Criminal or Revenue Court or office.

- (b) "Copying Agency" means the branch in the office of a Deputy Commissioner, Sub-Divisional Officer or a Tehsildar, meant for the supply of copies of records to the litigant public.
- (c) "Officer-in-Charge" means the head of the copying agency subordinate to the Deputy Commissioner of a district. At headquarters an Extra Assistant Commissioner, at Sub-Divisions and tehsils either the Sub-Divisional Officer or the Tehsildar (or in the latter's absence the Naib-Tehsildar) and in outlying courts the Presiding Officer of the court shall be deemed to be the Officer-in-Charge of the copying agency.
- (d) "Copying Supervisor" means the Head Vernacular clerk or any ministerial official in a grade not lower than Rs. 60-4-80-4-100 for the purpose of direct control and check of the district copying agency.
- (e) "Copying Agent" means a permanent pensionable Government servant in the senior grade in direct control of the agency and responsible for the maintenance of accounts and the conduct of business.
- (f) "Examiner" means a permanent pensionable clerk under the copying agent authorised to revise and attest copies of records.
- (g) "Copyist" means the clerk specially appointed for the preparation of copies of records.
- (h) "Copying Agency Clerks" mean the clerks appointed to maintain regular accounts in the various registers prescribed under these rules.
- (i) "Translator" means a clerk appointed to prepare a copy of a record in English or Urdu or Hindi in a language other than that of the original.

2. ARRANGEMENTS FOR THE SUPPLY OF COPIES

3. Responsibility of the Deputy Commissioner of a district.—The Deputy Commissioner of a district shall be responsible for the supply to the public of copies of all records kept in the district record office, viz., of the records of all Civil, Revenue and Criminal Courts other than those of the District and Sessions Judges and Court of Small Causes.

4. Copying Agencies to be established by Deputy Commissioner.—Copying Agencies shall be established at the headquarters of all districts, sub-divisions and tehsils for the supply of copies indicated in the preceding rule. The Deputy Commissioner has discretion to make such further arrangements as

may be necessary for the better supply of copies from outlying courts.

5. Officer-in-Charge to be appointed by Deputy Commissioner and his responsibilities.—For all such copying agencies Officers-in-Charge shall be appointed by Deputy Commissioners. At headquarters the Officer-in-Charge will usually be one of the Extra Assistant Commissioners, at sub-divisions and tehsils either the Sub-Divisional Officer or the Tehsildar (or in the latter's absence the Naib-Tehsildar) and in outlying courts the Presiding officer of the Court. The Officer-in-Charge shall be responsible on behalf of the Deputy Commissioner for the correctness of the accounts and the orderly conduct of business.

6. Appointment of copying agency staff in districts by Deputy Commissioners.—In addition, there shall be appointed by Deputy Commissioners for each copying agency,—

(1) At district headquarters—

- (i) A Copying Supervisor, usually the Head Vernacular Clerk, or any ministerial officer in a grade not lower than Rs. 60-4-80-4-100 for the purpose of direct control and check. It is the intention that the Head Vernacular Clerk shall not be relieved of this important responsibility except for periods of temporary absence from headquarters.
- (ii) A Copying Agent, usually a permanent pensionable Government servant in the senior grade, in direct control of the agency and responsible for the maintenance of accounts and the conduct of business.
- (iii) Copying Agency clerks, usually permanent pensionable Government servants.
- (iv) An Examiner and where necessary, Assistant Examiner under the Copying Agent, on the permanent pensionable staff, as the revising and attesting official for copies.

- (v) Copyists, for the preparation of copies one or two copyists being also appointed on file-fetching duty.

(2) At sub-divisions or tehsils—

- (i) A copying agent, usually the office Kanungo.
- (ii) One copyist or where necessary more than one for the preparation and attestation of copies.

Provided that at a sub-division or tehsil, where there is no whole time copyist, the office kanungo shall ordinarily

discharge all the functions of a copyist, examiner and copying agent, but it will be open to the Deputy Commissioner to modify these arrangements according to circumstances.

(3) At other places—

The Ahlmad as copyist, and the reader as examiner and copying agent, or as the Deputy Commissioner may direct.

3. PERSONS ENTITLED TO OBTAIN COPIES OF RECORDS

7. Grant of a copy of a record to persons entitled.—A copy of a record shall be granted in the manner prescribed by these rules to any person who, under the law for the time being in force, or under these rules, is entitled to get it. In particular, copies may be granted as follows:—

(i) *Persons entitled to obtain copies.*—Any party to a civil, revenue or criminal case is entitled at any stage of the suit or complaint to obtain copies of the record of the case including documents exhibited and finally accepted by courts as evidence.

Note:—(i) 'Complaints' include Chalanis.

Note:—(ii) A party to a suit or complaint, who has been ordered to file a written statement is not entitled to a copy of the written statement of his opponent until he has first filed his own.

(ii) *When a stranger to a suit or case is entitled to obtain copies of records.*—A stranger to a civil, revenue or criminal case may, after decree or judgment, obtain copies of the plaint or complaint, written statements, affidavits and petitions filed in the case, as also of the evidence recorded by the court, and may, for sufficient reasons shown to the satisfaction of the court, obtain copies of such documents before the final order. He may also obtain copies of judgments, decrees or orders, at any time after they have been passed or made, but he shall not be granted copies of documents exhibited in evidence, except with the consent of the person producing them in court or under the orders of the court.

(iii) Any person may obtain a copy of a record of rights, annual record, Khasra girdawari, or (of the record of distribution of an assessment over the holdings of an estate,) or of an entry in a register of mutation or in a note book prepared in accordance with paragraphs 1, 2 or 6 of chapter 10 of the Land Records Manual

(iv) *Grant of copies of order passed under the Land Revenue Act and the Himachal Pradesh Abolition of Big Landed Estates and Land Reforms Act by a competent authority.*—Copies of the orders passed by a competent authority on proceedings under the Land Revenue Act, and the Himachal Pradesh Abolition of Big Landed Estates and

Land Reforms Act shall be granted. But copies of reports and recommendations made by revenue officers to their superior officers in connection with purely executive proceedings shall not be given, unless in the opinion of the officer by whom the order was passed, they are necessary for the understanding of his order.

(v) Copies of the final order passed on muafis sanctioned by competent authority may be granted by the Deputy Commissioner. But copies of recommendations submitted for sanction shall not be given unless they have been approved and are necessary for the understanding of the sanction.

(vi) In the cases regarding reduction of lambardars, a copy of the Financial Commissioner's order may be granted by the Deputy Commissioner.

(vii) Copies of final orders in cases of an executive nature, and in establishment cases, may be granted with the permission of the Deputy Commissioner.

Provided that without the previous sanction of the Financial Commissioner, no copies of documents shall be supplied to any person, not entitled to them by law, between whom and Government there is any likelihood of litigation.

Note:—Supply of copies of documents to persons having litigation with Government.—Copies of letters, notes, opinions or other correspondence in court of wards file shall in no case be supplied to the public without the previous sanction of the Financial Commissioner.

(viii) *Supply of copies of privileged documents.*—Official letters are privileged documents to copies of which no person has any claim whatever. Should it be desirable to grant a copy of letter, or of an extract of a letter received by a subordinate from a superior officer, reference should in every case be made to the superior officer for permission.

(ix) *Supply of copies free of charge.*—In the following cases copies shall be supplied free of charge:—

- (1) If a person convicted in a summons case is in Jail and requires a copy for purposes of appeal or revision, he or his agent shall be allowed a copy of the judgment free of copying fees.
- (2) Copies required for public purposes by Public Officers of the Central or Provincial Governments as defined in section 2 (17) of the Code of Civil Procedure, shall be supplied free of charge on reciprocal basis provided the application for copy is endorsed by the head of the Department concerned.
- (3) Copies of judgement or orders, or English translations of vernacular judgements

or orders, convicting, acquitting or discharging Government servants including a person subject to military law or a civilian in military employ, of criminal offences, shall be supplied free of charge to the heads of departments or offices concerned.

- (4) After orders have been passed by a competent authority in a departmental inquiry, a copy of the report of the findings of the inquiry officer shall be supplied free of charge on application to the Government servant concerned.

4. INSTRUCTIONS FOR THE SUBMISSION OF APPLICATIONS

8. Manner of applying for copies of records. An application for a copy or copies, including requisitions for free copies, may be made personally or through an agent authorised to act for the person who is entitled to it, and in either case it may be sent by post to the Copying Agent at headquarters, or in the case of sub-division, tehsil headquarters or outlying courts, to the Presiding Officer of the court concerned, provided in the latter case :—

- (a) that the case from which a copy is applied for, is pending, or
- (b) that the copy can be prepared within 10 days of the passing of the final order of the court thereon.

9. Copies of records to be supplied with the permission of the court or officer concerned.—An application for a copy of a record of the High Court, or of a District or Sessions Court, a court of small Causes, a court or office in another district, or of an office or court of a Commissioner or of the Financial Commissioner, made to another court, or office, in which the record may be at the time of the application, shall be complied with only with the permission of the court or officer concerned.

Note: (1) In no case shall a record be sent from the headquarters of a district to a sub-division or tehsil or outlying court, to be copied.

(2) Applications for copies of records, not under the control of the Deputy Commissioner, shall be transferred to the officer concerned for disposal.

(3) In cases pending in courts or in cases of an executive nature, the permission of the Presiding Officer of the court concerned or the Deputy Commissioner, as the case may be, shall be obtained by the applicant before he presents his application to the copying agent at district headquarters or to the Officer-in-Charge at tehsils, etc.

10. Application for copy to be in form C. D. I.—Every application for a copy of records shall be made in form C. D. I. obtainable

on payment of six pies per copy from the licenced stamp vendors. The full name, parentage and address of the applicant shall always be given and it shall also be stated if the copy is required for "private use". Applications containing all the requisite particulars but not in the printed prescribed forms, shall not be returned.

Note:—(1) It is to the interest both of the applicant and of the copying department that full particulars be given so that the record may be easily traced. No application shall, however, be returned unless it fails to give the minimum information required to trace the record.

(2) The forms C. D. I. shall be stocked at the Government Book Depot, from where all supplies should be obtained on indent. These forms shall be supplied by licenced stamp vendors at a cost of six pies per copy. A discount of three pies per rupee shall be allowed to the stamp vendors at the time of purchase of forms worth Rs. 5 and above by deduction from the purchase money. This Commission shall be debited to the head "25 General Administration-E District Administration-R-Other Establishment". The receipts on the sale of these forms shall be credited to the Head "XLVI-Misc.-XLVI-C-Misc-(B)-Copying Agency Accounts".

(3) Applications shall not be returned where the courts-fee stamps borne on them are not properly endorsed by the stamp vendors. In such cases the stamp vendors concerned should be proceeded against under section 34 of the Court Fees Act.

11. Stamping of applications for copies.—Every application for grant of a copy of record must bear an adhesive court-fee label of four annas leviable under article I (a) Schedule II, to the Court Fees Act, 1870 as Amended in its applications to Himachal Pradesh. This court fee stamp shall, however, be apart from the Court-fee stamps, if any, to cover the cost of the copy.

Note:—Immediately on receipt of the application the receiving official shall satisfy himself that the applicant is entitled to the copy applied for by him, and shall forthwith effect cancellation of the court-fee stamps in the manner prescribed in section 30 of the Court-Fees Act, 1870 as applied to Himachal Pradesh read with rules 1 and 2, chapter 4-C of the High Court Rules and Orders, Volume IV, as applied to Himachal Pradesh.

12. One application to be made for copies of records concerning a single cause or matter.—Only one application need be made for copies of any number of papers concerning a single cause or matter which are in the same record, e.g., if copies are required of four separate papers in one record, only one application is necessary.

13. Payment of copying fees.—The charges for copies are detailed in schedule V. The copy need not be paid for in advance but the applicant may at his option—

- (1) pay for the copy in advance by affixing to the application court-fee stamps to cover the cost of the copy. Should he desire the receipt provided in form C. D. 10 to be posted to him, he should affix an extra court-fee stamp of two annas to the application. Also, if he desires to have the copy sent to him by post, and not take delivery of it personally, or through an agent he should further affix court-fee stamps of eight annas to cover registration and other postal charges, or
- (2) remit to the copying supervisor at district headquarters the cost of the copy by money order, or
- (3) ask the copying agent at district headquarters personally or by post, that the copy be sent to him by V. P. P. which will mean an extra cost of 10 annas payable in court-fee stamps.

Note:—(i) Cash shall not be accepted by money order or otherwise, nor shall copies be sent out by V. P. P. at agencies other than district headquarters.

- (ii) Where an applicant takes delivery of a copy personally, the V. P. P. or registration charges deposited by him shall be accounted for towards the cost of the copy by transfer of the amount to the head "Copying-Fees" the excess amount being refunded under rule 38 (f).
- (4) *Stock of receipt books in form C. D. 10 and maintenance of register C. D. 12.*—The receipt book in form C.D. 10 shall contain 200 receipts with a consecutive receipt number printed on each receipt and counterfoil. The stock of these books shall remain in the personal custody of the Copying Supervisor who shall keep an account of receipts and issues in form C.D. 12.
- (5) *Retention of counterfoils of receipts, etc. for audit.*—The counterfoil of receipts, issues and payment orders duly completed shall be similarly retained by the Copying Supervisor and produced for audit.

14. Maintenance of register C. D. 6 by Copying Supervisor and mode of punching and cancellation of stamps.—The Copying Supervisor at district headquarters shall maintain a register in form C.D. 6 for payments received by money order or through V. P. P. He shall then convert all such payments into Court-fee stamps, affixed them to

the application, then cancel the Court-fee stamps affixed to it by punching out the figure head so as to leave the amount designated on the stamp untouched and the part removed by punching shall be burnt or otherwise destroyed. As an additional precaution, the cancelling officer shall affix his signature and the date across each label, at the time of cancellation, in durable ink.

Maintenance of guard file.—He shall then hand over the application to the Copying Agent against the latter's receipt in the register C. D. 6. The Money Order and V. P. P. coupons shall be pasted in a separate guard file and numbered serially.

5. PROCEDURE ON RECEIPT OF APPLICATIONS

15. Scrutiny of applications by Copying Agent.—The Copying Agent shall scrutinize the applications as follows:—

- (a) Should the copy be given? (See rule 7).
- (b) Is the application duly stamped with a four annas court-fee stamp (see rule 10) and does it give reasonable particulars for tracing the record?
- (c) Has the fee, if prepaid, been correctly assessed (vide schedule A)?

Applicant to be informed of the necessity of a copy of the decree or an order having the force of a decree.—Whenever an application is made for a copy of a civil or revenue judgment for the purpose of appeal the applicant shall be informed that a copy of the decree is also requisite and he shall be supplied with such copy, unless he declines to pay the necessary fees, in which case a certificate, under the signature of the Officer-in-charge of the copying department shall be endorsed on the copy of the judgment supplied to the applicant to the effect that he was duly informed that a copy of the decree was requisite, and, after being so informed, declined to pay fees for the same.

Similarly, an applicant for a copy of an appellate judgment for the purposes of a second appeal shall be told that a copy of the trial court's judgment is also requisite.

16. Rejection of applications for copies.—If the application is rejected or is not in order or if for any reason it is impossible to prepare the copy of a document ordered to be made, the application shall be filed after being kept pending for 15 days, or returned by registered post if the applicant has paid extra fee for registered post or V. P. P.

Note:—The court fee label of four annas affixed to the application shall be destroyed by the Copying Agent in the presence of the Copying Supervisor in the manner laid down in rule 1.40.

17. Copying Agent to take the order of Officer-in-charge in case of doubt.—If it is clear that the copy can be given as a matter of routine and the application is in order, the Copying Agent shall order the copy to be prepared. If, however, he is doubtful on any point, he shall take the orders of the Officer-in-charge. In agencies, other than those at the headquarters of districts, the order to prepare a copy shall be passed by the Officer-in-charge of such agency.

18. Duties of the Copying Agent.—(i) If a copy is ordered to be given the Copying Agent shall.—

- (a) endorse or cause to be endorsed thereon the date and, in the case of urgent applications time of presentation;
- (b) initial the endorsement;
- (c) cancel the court-fee stamps in the manner prescribed in rule 14;
- (d) grant receipt (in the printed prescribed form C. D. 10) of the application form; see item 3 of statement No. III of C. D. 1;
- (e) cause the application to be entered in register C. D. 2 and the serial number of the register given in red ink the reverse of the application; and
- (f) cause the application to be made over to the file-fetcher for bringing the record.

2. At places which are not the headquarters of a District and Sessions Judge, applications for copies received by courts of Sub-Judges (including Senior Sub-Judges) shall be entered in the general register of applications (C. D. 2) of the copying agencies of the Deputy Commissioners concerned.

3. Applications for supply of unattested copies of depositions received by court stenographers of Sub-Judges (including Senior Sub-Judges) whose courts are situated at a considerable distance from the Sessions court, shall be entered in the general register of applications (C. D. 2) of the copying agencies of the Deputy Commissioner concerned.

19. Urgent applications to take priority over ordinary applications.—Orders made on urgent applications shall have priority over all orders made on ordinary applications; orders on urgent applications and orders on ordinary application shall have, as far as possible, priority among themselves, according to the date and serial number of each order, subject to any special orders in any particular case or cases.

20. Prompt delivery of urgent copies.—An applicant for an urgent copy shall be entitled to have his copy furnished to him, if possible,

by the second working day after the filing of the application.

If the document, of which a copy is required, is too lengthy to be copied within the fixed time, or if, after sanction of an application for an urgent copy, it be found subsequently impossible to issue the copy within the fixed time, the applicant shall be asked whether he agrees to the application being treated as an ordinary application, and, if he agrees the difference between the fee paid by him and that which would have been payable if the application had been one for an ordinary copy, shall be refunded. If he still desires to have his application treated as urgent and given priority over ordinary applications, he shall forego all claims to refund.

Note: See note (v) at the end of schedule A of these rules. The number of copies asked for if more than one, shall be recorded in the remarks column of register C.D.2.

6. DUTIES OF THE FILE FETCHER, COURTS AND RECORD ROOM STAFF, FOR MAKING OVER FILES FOR COPIES TO BE PREPARED AND OF THE COPYING AGENT

21. Maintenance of registers C. D. 7 and C. D. 8.—(a) The file-fetcher shall maintain a register in form C.D. 7 of application made over to the record room and Court staff. The file fetcher, record room staff and Court staff shall also maintain register in form C.D. 8. These registers contain important acknowledgments of receipt of applications and judicial files and shall be kept under lock and key.

(b) The file-fetchers duty shall be over after he has delivered the applications to courts or the record-keeper, for the files required. In the case of urgent applications it shall be the duty of the file-fetcher to endeavour to secure the file, or record, as quickly as possible.

(c) The courts and the record-keeper shall transfer applications direct to each other, or deliver directly to the file-fetcher, files required, as soon as they become available. The reasons for the delay, if any, in disposing of an application, shall be recorded thereon daily, during the period it is kept pending.

(d) *Copyists not allowed access to record room.*—Copyists shall in no circumstances be allowed access to the record room. Files shall be given to them by the record room staff and receipts taken.

(e) Documents in the custody of the Sadar Kanungo shall on no account be removed from the revenue record room.

(f) *Levy of search fee.*—The record-keeper at headquarters shall recommend on the application itself that a search fee of eight annas should be imposed in every case in which

an unreasonable amount of trouble has been caused in finding the original record by the failure of the applicant to give correct particulars and this fee shall be recovered as a part of the copying fee. Record fee is not chargeable in outlying agencies.

(g) If it is not possible or desirable to send the file to the copying agency the file-fetcher, shall, if possible, be given the particular document or documents only from the file, and his receipt taken.

(h) The record-keeper shall check and countersign the reports of the record room moharrirs, and no report shall be accepted, unless it is so countersigned by him.

(i) *Responsibility of the Copying Agent.*—The Copying Agent shall be responsible—

(1) that no file is taken out of the Copying room by any one;

(2) that copyists and file-fetchers are supplied with locks and keys so that all files in their possession are locked by them before leaving office. The copyists and file-fetchers should receive and return files against their signatures in a register in form C. D. 8 maintained by them for this purpose;

(3) for the proper and equal distribution of work by means of duty lists, among the file-fetchers, copyists and clerks. His own duty list, should be approved by the Copying Supervisor;

(4) for discipline and control of the copyists and abuses; no member of the public shall be allowed access to the copyists or the copying room or rooms;

(5) for the proper maintenance of accounts; and preparation of returns;

(6) for the maintenance of service books and leave accounts (after a thorough verification of the age) for all members (including the copyists) of the agency in the tehsils as well as at headquarters, with assistance from the establishment clerk;

(7) for the regular and proper delivery of copies;

(8) that no record is sent to the tehsil or outlying court for supplying copies (See rule 9 above).

7. MANNER OF MAKING COPIES

22. Essentials of a copy.—(i) Every copy made under these rules shall—

(a) if in English, be written in a good legible hand or typed;

(b) if in Urdu, be written in good legible Nastalik;

(c) if in Hindi, be written in good legible

Devnagri script;

(d) be written in ink of a good quality; and

(e) be written upon Government water-marked paper except in cases in which copies are allowed on printed forms, or required to be issued on non-judicial impressed stamp paper under article 24 of Schedule I. A. to the Stamp Act.

(ii) have a margin of one-fourth on the left.

(iii) be written on both sides of the paper. The margin on turning over shall be on the right hand side.

(iv) have a space between the lines not exceeding and not less than the second space of a typewriting machine.

(v) have marginal reference to the paging of the original.

(vi) be duplicated if, more than one copy of the same record is ordered to be prepared at the same time.

(vii) have approximately the following number of words and lines on each page:—

(a) Typewritten, 360 words, 35 lines.

(b) English writing, 240 words, 22 lines.

(c) Vernacular writing, 250 words, 22 lines.

23. Prefixing of a heading containing short description of the record to every copy.—To every copy, made under these rules, shall be prefixed a heading containing a short description of the record, the name and habitation number of the estate, and the name of the tehsil and district to which such record relates. In the copy of a judgement or order, such heading shall also contain the following particulars:—

(a) the court or office by which the case was decided, giving the name and powers of the Presiding Officer, and, in an appellate case, the name and official designation of the officer whose order was appealed against and the date of that order;

(b) the date of the institution, proceeding or appeal, as the case may be;

(c) the name, parentage, trade or occupation, and place of residence (stating tehsil and district) of the parties; and

(d) the subject matter of the case.

24. Supply of copies of records in the custody of the Sadar or office Kanungo.—If copies are required of documents in the custody of the Sadar or office Kanungo, the copyist shall work in the Kanungo's office, and the examiner shall also go there to attest the copy. Such documents shall not be removed

from the custody of the Kanungo or his assistant.

25. Supply of copies of forms.—Copies of revenue records, and other records which are kept in tabular or printed forms, shall be supplied on the forms used in Government offices. Such forms shall be supplied free by the Deputy Commissioner out of his stock.

26. Documents of which copies should be given on printed prescribed forms.—The following are among documents of which copies shall be given on such forms:—

Decrees;

Notices of ejectment;

Criminal charges;

Headings of "opening sheets" in Judicial records;

Extracts from Jamabandis, mutation registers, Khasra girdawaris, settlement records;

And others, at the discretion of the Deputy Commissioner.

27. Supply of a copy of a copy.—A copy of a copy shall not be granted unless expressly asked for as such; as, for instance, in order to call in question the correctness of the copy granted. The fact that it is so required shall be entered in the heading and it shall be marked as "copy of a copy".

28. Sheets of papers on which copy is made to be stitched together in book form. If a copy covers more than one sheet of paper, the sheets of paper on which the copy is made shall be stitched together in book form and not be attached one to the end of the other so as to form a roll.

29. Particulars to be endorsed on a copy.—After the copy has been made, and before it has been revised and attested, the following particulars shall be endorsed thereon; on copies made in English and on copies made in Urdu or Hindi, in that language:—

- (a) the number of the application in register C. D. 2;
- (b) the date of the presentation of the application for a copy;
- (c) the name of the copyist;
- (d) the date on which the copy was completed;
- (e) the date on which the copy was examined and attested;
- (f) the cause of delay if the copy has been completed after the third day from the date of the application;

Any complaints by the copyists or the litigant, should be made separately to the

Copying Agent;

(g) the number of words or pages;

(h) (1) the cost of the copy as Rs. A. P. prescribed in scheduled A.

(2) Urgent fee.

(3) Search fee.

(4) Registration and postal charges (annas 8).

(5) V. P. P. charges (annas 10)

Total recovery:

(i) Date of delivery or despatch.

30. Verification of delay in preparation of copy.—Every copy is ordinarily expected to be ready by the third working day, but an urgent copy shall be ready by the second working day after the filing of the application. Any case of delay shall be verified and certified by the Examiner, or Copying Agent, before the copy is attested and delivered.

8. REVISION AND ATTESTATION

31. Examiner to revise and attest copies.—In the case of applications for attested copies no copy shall be delivered to any person until it has been examined, certified, stamped and paged. The Examiner shall see that the provisions of the law and of these rules and orders have been complied within all respects.

32. Duties of Examiner.—Every Examiner shall, before he attests any copy in the manner prescribed by these rules:—

- (a) personally compare such copy with the original record from which it has been made for the purposes of facilitating the comparison of any copy, the copyist who made it may be called upon to assist by reading out the original;
- (b) attest every alteration made in such copy by initialing the same;
- (c) examine and initial the endorsements made upon the copy in accordance with these rules;
- (d) examine the headings and form of the copy, and see that they are in accordance with the law, rules and directions applying to such copy;
- (f) see that the court-fee stamps affixed to copies are punched, cancelled and initialled;
- (g) make an entry in register C. D. 5 as to the outturn of the copyist—see rule 47.

33. Endorsement on copies to be made by the Examiner.—When any copy is found to be in all respects correct and ready for

delivery to the applicant, the Examiner shall endorse thereon the following words:—

“Verified to be a true copy”

And shall sign and date the endorsement, and subscribe his official designation, below which he shall endorse the following words:—

“Authorised by section 76 of the Indian Evidence Act, 1872.”

He shall then cause the proper seal to be affixed to the copy. If the copy covers more than one sheet of paper, the Examiner shall endorse the word “attested” on every such sheet, and shall enter his initials and the date thereunder.

34. Defective copies to be cancelled.—In the event of any copy being found to be unfit for issue by reason that it:—

- (a) has not been legibly and neatly written;
- (b) is not in the prescribed form or on paper of the prescribed quality;
- (c) is so incorrect that revision has rendered it unfit for issue;
- (d) does not conform to these rules and orders; or
- (e) *Submission of report on the carelessness of the copyist.*—is defective or otherwise open to objection the Examiner shall forthwith write the word “cancelled” across the copy; and fresh copy shall be made without further charge. At the same time he shall submit a separate report against the copyist for his carelessness.

35. Certificate of accuracy of a copy.—The affixing, by the Examiner of a signature to a copy is a certificate that the official has personally satisfied himself of its accuracy, and that the copy has been personally compared by him, and is suitable for delivery.

36. Delivery of unattested copies by the Copying Agent.—It is permissible to grant copies unattested by the Examiner, of documents specified in item 9 of Schedule A of these rules. Such copies shall be delivered by the Copying Agent.

9. ADJUSTMENT OF COST AND DELIVERY OF COPIES

37. Recovery of fees by Copying Agent.—(1) It is an important function of the Copying Agent that before delivery of a copy he shall make sure that all fees chargeable according to Schedule A of these rules have been duly recovered and in cases of refusal to pay the cost wholly or partly either personally or when sent by V.P.P. he shall arrange to recover it as in rule 53.

(2) The Copying Agent, before any copy is delivered, shall endorse thereupon the date of delivery and verify the cancellation of the court-fee stamps.

Note:—(i) In the case of copies required to be stamped under article 24 of schedule I. A. of the Indian Stamp Act, 1899, as amended, the copies shall be prepared on non-judicial stamps of the requisite value. It is a part of the copying agent's duty to see that a copy is duly stamped before it is delivered to the applicant.

(ii) The stamps required to be affixed to copies under articles 6-9 of schedule of the Court Fees Act, 1870, as applied to Himachal Pradesh shall be affixed by the applicant at the time of presentation of the copy to a court or any public officer. The responsibility of admitting the copy, duly stamped, mainly lies with the presiding or public officer concerned, and it is no part of the Copying Agent's duty to see that these stamps are duly affixed and cancelled. Articles are reproduced in Schedule B of these rules.

(3) *Mode of cancellation of court-fee stamps on copies issued by the copying agency.*—The court-fee stamps, if any, affixed to copies under articles 6-9 of Schedule I of the Court Fees Act, 1870 as amended in its application to Himachal Pradesh shall be punched by the Copying Agent by punching a portion of the label in such a manner as to remove neither the figure-head nor that part of the label on which its value is expressed. As an additional precaution, the signature of the Copying Agent attesting the documents, with the date shall be written across the label, and upon the paper on either side of it.

*Note:—*Care should be taken to distinguish between the modes of cancellation of court-fee stamps affixed to applications for copies and on copies issued by the copying agency.

38. Grant of refund.—Refunds (i) The refund of court-fee stamps tendered in payment of copying fees shall be allowed under the orders of the Officer-in-charge in the following cases, subject to the deduction of one anna in a rupee or a fraction of a rupee in the cases mentioned in clauses (a) and (b):—

- (a) when an application for a copy has been rejected;
- (b) when an application is withdrawn before a copy has been prepared;
- (c) when for any reason it is impossible to prepare the copy asked for;
- (d) when an excess payment is made by mistake;
- (e) under rule 20; and
- (f) when an applicant takes delivery of a copy personally and applies for refund of the V. P. P. or registration charges already deposited.

(ii) *Manner of preparation of refund vouchers.*—Refunds shall be made on form C. D. 9 by the Copying Supervisor out of his imprest, which shall be recouped by means of a contingent bill on the last working day of the month or earlier if necessary as in the case of the permanent advance. The contingent bill shall be classified as debitable to "XLVII Miscellaneous Departments Deduct Refunds". The refund vouchers (C.D.9) shall be prepared in all cases in which a refund is actually made either in person or by money order.

The particulars entered in the refund bill shall be verified by the Copying Agent, countersigned by the Copying Supervisor and the pay order passed by the Officer-in-charge.

(iii) *Cancellation of refund vouchers.*—All refund orders shall be cancelled at the time of recouping the advance. The words "cancelled" shall be written in red ink or stamped with a rubber stamp of suitable size across each order, by the copying agent, and initialled by the Copying Supervisor. The refund vouchers not exceeding Rs. 25 in amount shall be retained in the District Office.

(iv) *Disposal of undelivered money orders.*—
(a) When the applicant is not present in person the amount to be refunded shall be remitted to him by money order, at his expense. The amounts of undelivered money order shall be credited to the permanent advance with the Copying Supervisor by making a reverse entry (in red ink) in the permanent advance register C. D. 4 and also by making a note in the relevant refund voucher C.D.9.

(b) *Time limit for refunds.*—If the amount of refund is not claimed within a period of three months from the date it was sanctioned it shall lapse and no further claim in respect thereof shall be considered.

(c) *Unclaimed refund to lapse.*—When the balance of any deposit received by money order rule 13 and converted into Court-fee stamps under rule 14, amounting to less than three annas remains unclaimed personally for fourteen days, it shall finally lapse.

(v) *Payment of refunds from permanent advance.*—At sub-divisions, tehsils and outlying courts refunds shall be paid from the permanent advance held for ordinary requirements of the sub-divisions, tehsils, or outlying courts in form C. D. 9. These refund vouchers shall then be sent to headquarters direct to the Copying supervisor monthly for recoupment.

39. Copy to be delivered in person or by post.—(1) An applicant for copy shall be required to state at the time of making his application whether he proposes to take delivery of the copy in person when it is ready, or whether he wishes the copy forwarded to him by post.

(2) *Receipt to be taken on the back of application.*—When a copy is delivered to an applicant in person his receipt shall be taken on the back of the application.

(3) Should the applicant be not present when first called to receive the copy, his copy shall be kept pending for delivery for 10 days. After 10 days the application and the copy shall be filed, and the copy shall not be issued to the applicant unless he presents a fresh application bearing a four annas court-fee stamps.

(4) *Supply of copy by post.*—If the applicant has requested that the copy be forwarded to him by post it shall be so forwarded as soon as it is ready either—

(a) by ordinary registered post if he has prepaid all dues payable thereon including postal and registration charges; or

(b) by V.P.P. for any amount still due including postal charges.

(5) *Unclaimed copies to be despatched by V.P.P. to the applicant for recovery of Government dues.*—A copy which has remained unclaimed for 10 days has been filed under the provisions of sub-rule (3) of this rule shall at the close of the month be despatched to the applicant by V.P.P. for the amount due on the copy, including the additional fee of four annas which has accrued under sub-rule (3) and all postal charges.

(6) *Refusal of V.P.P. and recovery of Government dues as arrears of land revenue.*—If a V.P.P. despatched in accordance with sub-rule (4) or sub-rule (5) of this rule is refused, action shall be taken under rule 1.58 (b). If in the course of recovery proceedings under rule .58 (b) the applicant demands the copy, it shall be delivered to him on his paying the full amount for the recovery of which proceedings have been taken in addition to any costs of the recovery proceedings to which he has rendered himself liable.

(7) *Maintenance of register C. D. 11.*—The copying agent shall maintain a separate register in form C.D. 11 in which he shall enter the balance of fees recoverable in each case and refused V.P.P. articles. From this register he shall prepare the statement prescribed in rule .58 (b).

40. Limitation for preservation of sanctioned applications and destruction of cancelled stamps by the Stamp Auditor.—Sanctioned applications for copies shall not be destroyed until a stamp auditor has audited the records and registers concerning them; even when the audit has been carried out earlier, such applications shall be kept in safe custody by the Copying Agent for three

years. At the end of this period or after the audit, the audit is not completed within three years the Officer-in-charge shall have such applications destroyed in his presence and shall certify their destruction in the manner prescribed in rule 27 of the Punjab Stamp Refund, Renewal and Disposal Rules, 1934, applied to Himachal Pradesh reproduced in Chapter 7, Part III of the Punjab Stamp Manual.

Note:—The sanctioned applications duly audited after destruction of cancelled stamps be sent to Jail authorities for pulping paper.

41. Supply of service postage stamps to copying agencies maintenance stamp account.—Service postage stamps shall be supplied to copying agencies in the same manner as they are supplied to all branches of the district office. An account of postage stamps shall be kept as prescribed for the other departments of the Deputy Commissioner's office. The serial No. of register C. D. 2 shall be recorded in the despatch register.

10. RECRUITMENT, EMPLOYMENT AND REMUNERATION OF COPYISTS, EXAMINERS AND THE MINIMUM DAILY OUTTURN PRESCRIBED FOR COPYISTS

42. Pay and leave rules applicable to copyists and examiners.—Copyists and examiners shall receive pay at the rate sanctioned by the Himachal Pradesh Government. Copyists shall be allowed leave as admissible to other permanent Government servants under the Fundamental Rules. They are also eligible to subscribe to the Provident Fund.

43. Fixed remuneration payable to part-time copying officials.—In copying agencies in sub-divisions, tehsils or outlying courts, where part time copying work is done by officials under the orders of the Deputy Commissioner, fixed remuneration not exceeding Rs. 10 per mensem shall be paid for the following year on the basis of the preceding year's income. The Orders of the Financial Commissioner as regards the amount of this remuneration shall be taken yearly in April, with a statement showing the year's income from copying fees. In copying agencies where the average monthly income falls below Rs. 2,000 remuneration shall be allowed to the part time copyists.

44. Qualifications of copyists and examiners.—Copyists and examiners should be qualified for both English and vernacular copying work and be recruited with due regard to rule 8 of the Himachal Pradesh District Subordinate Service Rules. The intention is that duly qualified copyists should, in due course, become eligible for recruitment on the pensionable district subordinate staff; but no copyist is entitled, as a matter of right, to be so recruited.

45. Number of copyists fixed for each copying agency and daily outturn of copyists.—The number of copyists, as fixed for each agency shall not be varied except with the sanction of the Financial Commissioner. The following minimum daily outturn is, with reference to rule 22 (vii), prescribed for each copyist:—

	Words	Pages
Typewritten	4,550	13
Handwritten, English	2,500	10
Urdu or Hindi	2,500	10

This standard includes the work of comparison by each copyist, of his copy, with the examiner.

The working hours will be 10 a.m. to 4 p.m. with an interval of half an hour from 1-30 to 2 p.m.

46. Employment of copyists on other work with the permission of Deputy Commissioner.—If for short period, e. g., during the month of September, there is not sufficient copying work, copyists shall, with the permission of the Deputy Commissioner be employed on other work.

47. Maintenance of a register of daily work done by copyists in form C. D. 5.—A register of work done by copyists shall be maintained by each copyist in form C. D. 5 provided that, if only one copyist is employed, this register may be dispensed with the sanction of the Deputy Commissioner. The register shall be written up daily by the examiner who shall, at the end of month, prepare a summary, and submit to the Copying Agent a report on the adequacy or inadequacy of the monthly outturn of each copyist, for submission to the Officer-in-charge through the Copying Supervisor.

48. Character Rolls of copyists.—Character Rolls of copyists shall remain in the custody of the Superintendent, and shall be written up yearly by the Deputy Commissioner.

II-SUPERVISION

49. Duties of the Officer-in-charge.—The Officer-in-Charge will be in general charge of the copying agency on behalf of the Deputy Commissioner. It would help to eradicate corruption and abuses if the Officer-in-charge arranges to sit in the copying agency for one day quarterly, and invites suggestions from the members of the bar, and the general public, for improvement in working of the copying agency. He should be ever ready to entertain complaints, and to deal with them personally. The Officer-in-charge shall keep the Superintendent informed about the work and character of copying agency staff as the latter has, in collaboration with former, to deal with all matters regarding their appointments and promotions.

At outlying agencies the Officer-in-charge shall also perform the duties of Copying Supervisor detailed in the rule next following.

50. Duties of the Copying Supervisor.—

The Copying Supervisor shall be in immediate charge of the internal organization of the copying agency. He shall witness all refunds, and receive cash payments for the purpose of converting them into court-fee stamps. He shall hold a permanent advance of Rs. 50 or more for which no security is required. He shall report on all complaints to the Officer-in-charge, and cases of dereliction of duty on the part of any member of the copying agency, record room or court staff. He shall examine the registers weekly, deal with delays and whenever he proposes to recoup the imprest he shall render an account to the Officer-in-charge.

2. *Copying Supervisor to sit one hour daily in the copying agency.*—The copying supervisor should sit, if possible, one hour daily in the copying agency. He will thus acquire first hand knowledge of the working of the department and be able to control it better.

3. *Constitution of a Copying Agency Committee in each district.*—There shall be in each district a Copying Agency Committee consisting of the following members:—

- (i) The Officer-in-charge and the Senior Sub-Judge, the senior in service being the president.
- (ii) Two leading members of the Local Bar representing the Criminal and Civil sides, respectively.
- (iii) The Copying Supervisor of the district, who shall act as the Secretary and draw up the monthly agenda.
- (iv) The copying agent, who shall act as the Assistant Secretary.

Maintenance of regular files of all serious delays by Copying Agent.—The Copying Agent shall maintain regular files of all serious delays and complaints and shall keep them in his personal custody. The Copying Supervisor shall be responsible for ensuring that all cases of complaints, abuse and negligence are duly dealt with by the Committee. A litigant or applicant for a copy is at liberty to lodge a complaint with any member of this Committee, and the fact shall be made known by public notice. The Committee should meet on the third Tuesday in every month, and if this should be holiday, on the first working day thereafter. No meeting shall, however, be held in any month, if there is no important business, or only a negligible quantity of ordinary business.

Submission of copies of minutes of the meetings to the Deputy Commissioner and District and Sessions Judge.—Copies of minutes of the meet-

ings shall be submitted by the Officer-in-charge to the Deputy Commissioner and the District and Sessions Judge for information. As regards the District Copying Agency, the Officer-in-Charge shall be responsible to see that necessary action is taken on the minutes of the meeting.

Security to be furnished by Copying Agent.—(2) Copying Agents shall be required to furnish a Security of Rs. 100 in any of the forms prescribed by Government.

12. TRANSLATIONS AND REMUNERATION TO TRANSLATORS

51. **Levy of translation fee.**—Where a copy is asked for in English or Urdu or Hindi but in a language other than that of the original, the copying fee shall be charged at the rates prescribed in Schedule A in addition to the translation charges leviable under rule 64 whether a translation is already in existence on the file or not. Such applications shall be entered in the ordinary register C. D. 3 in which application for copies are entered, and shall be distinguished by the letter T.

52. **Entertainment of a special translator.**—The Deputy Commissioner shall, if the work is sufficient, entertain a special translator for the work, otherwise he shall entrust the work to any clerk (not being one of the copyists) in addition to his own duties, provided that he does the work out of office hours.

53. **Duties of the Translator.**—Where a translation is already in existence, the translator shall copy such translation and check it. Where a translation is not in existence the translator shall make a translation, and place it on the record, and copy it for the applicant.

54. **Translation charges.**—The translation charges payable in court fee stamps shall be—

	Rs.	As.	Ps.
First 200 words or under	1	2	0
Every additional 100 words or fraction thereof	0	9	0

55. **Remuneration to the translators.**—The translator shall receive half of the fees mentioned in the preceding paragraph, payments being made in cash out of the imprest of the Copying Supervisor and recouped as "Refunds". The Examiner shall attest the correctness of the copy in the usual way, but such copies shall be distinctly noted in the heading to be copies of a translation. Necessary entries shall be made in registers C. D. 2 and C. D. 3.

13. REGISTERS AND ACCOUNTS

56. **Maintenance of registers only in printed prescribed forms.**—No other forms or registers, except those prescribed in these rules shall be used. A dak bahi and stamp register shall, however, be maintained in addition to these registers.

Note.—The forms and registers to be used under these rules are contained in appendix II.

57. Register C. D. 2.—All applications, cost of copies, urgent and search fees and dates of delivery shall be recorded in register C. D. 2.

58. Maintenance of daily income account in register C. D. 3.—(a) A separate income account shall be kept by the Copying Agent in register C. D. 3. Each day's income shall be recorded by the Copying Agent in this register and totalled monthly. The daily income represents all payments received daily, whether copies for such payments have been made or not.

(b) *Submission of statement of outstanding balances of fees for recovery as arrears of land revenue.*—After the close of each month the Copying Agent shall prepare a statement showing the cases in which the fee or any portion thereof remains to be realized. This statement shall be submitted to the Collector, through the Officer-in-Charge for recovery of fees as arrears of land revenue. The Copying Agent shall keep a duplicate copy of this statement with him, and be responsible for the reminding the tehsildars concerned at regular intervals.

(c) *Submission of copies with statement of unrealized fees to the Collector.*—When forwarding the statement of unrealized fees, the Copying Agent shall send to the Collector, the copies for which such fees are due, and these copies shall be tendered by the subordinate staff of the Collector to the persons concerned when effecting recovery of the fees from them.

Note.—Only cases in which a copy was prepared more than 10 days back or in which a copy is sent out by V.P.P. has been refused shall be included in this statement.

59. Maintenance of register C. D. 4 by the Copying Supervisor.—The permanent advance register C. D. 4 shall be kept and maintained personally by the Copying Supervisor. This imprest is intended for refunds and contingent expenditure.

60. Drawing of establishment charges.—The establishment charges shall be drawn on the usual establishment bill forms.

61. Maintenance of register C. D. 5 by each copyist.—Each copyist shall maintain his daily record of outturn in register C. D. 5 in accordance with the instructions contained in rule 47.

62. Maintenance of register C. D. 6.—The Copying Supervisor at district headquarters shall maintain a register in from C. D. 6 in compliance with instructions contained in rule 14.

63. Maintenance of register C. D. 7 and C. D. 8.—The registers C. D. 7 and C. D. 8 shall

be maintained by the file-fetcher, record room staff and court staff as prescribed in rule C. 21

64. Keeping of separate account of income and expenditure by the copying department.—Although the transactions of the copying department are brought on the general accounts and budgetted for in the ordinary way, a separate account of income and expenditure shall be kept in each district in the following form :—

	Sadr	Out stations by Tehsils	Total
<hr/>			
Receipts			
Total copying, urgent and search fees.			
Deduct refunds.....			
Non-receipts			
Charges			
Establishment, pensionable, Allowance			
Stationery			
Contingencies			
Excess			
Balance deficit			
<hr/>			

The charges include—

- the pay of the staff employed, including allowances paid at tehsils;
- cost of articles for the use of the copyists, such as Office furniture, and any stationery purchased locally;
- hot and cold weather charges;
- cost of typewriters and accessories, and charges for repairs to same;
- the cost of stationery required by the Copying agency, to be obtained from the Provincial Stationery Office, on separate indents by the Deputy Commissioners, apart from their indents for ordinary requirements.

Consolidation of accounts and submission of monthly accounts to Financial Commissioner.—An account shall be made out each month. All outlying courts, tehsils and Sub-Divisions copying agencies shall submit their monthly income and expenditure statement to the Sadr copying agency on the prescribed form for consolidation of accounts.

Copies of the monthly account shall be submitted to the Financial commissioner by the 15th of the following month.

65. Compilation of a provincial statement by Financial Commissioner.—The Copying fees including search fees being paid in court-fee stamps, the total income of the copying agencies shall automatically be credited to the head "IX-Stamps". In order to enable the Financial Commissioner and Accountant General to afford a credit of such receipt to the head "XXXVI-Miscellaneous Departments"; the Deputy Commissioners shall, immediately after the close of the financial year, submit to the Financial Commissioner a statement of receipts of the copying agencies in their districts for the year to which it relates. The Financial Commissioner shall compile a provincial statement and intimate to the Accountant General the total amount (less the discount allowed to stamp vendors and approximate cost of stamps used for payment of copying fees) for which the credit shall be afforded from the head "IX-Stamps" to the head "XXXVI-Miscellaneous Departments."

Schedule "A"

Note:—This schedule of fees shall be displayed on notice boards outside Copying Agencies, Court and Bar-rooms.

Rates of fees for copies, whether in English or Urdu or Hindi.

Rs. As. Ps.

1 Civil suits and appeals valued up to Rs. 1,000—Judgement	2	4	0
Decree (including grounds of appeal)	1	8	0
2 Civil suits and appeals valued over Rs. 1,000 and up to Rs. 5,000—Judgement	3	12	0
Decree (including grounds of appeal)	1	14	0
3 Civil suits and appeals valued at over Rs.—5,000—Judgement	7	8	0
Decree (including grounds of appeal)	2	4	0
4 Revenue cases of Assistant Collector—Judgement	2	4	0
Decree (including grounds of appeal)	1	8	0
5 Revenue cases higher than those of Assistant Collector—Judgement	3	0	0
Decree (including grounds of appeal)	1	8	0
6 Criminal judgements—			
(a) First class and section 30 Magistrates	4	8	0
(b) Second and third class Magistrates	3	0	0
(c) Criminal appellate judgements	4	8	0

	Rs.	As.	Ps.
(d) Sessions cases	7	8	0
7 First Information report	1	2	0
8 (a) Each deposition or plaint etc., up to 10 pages	1	0	0
(b) Each deposition, or plaint, etc., exceeding 10 pages extra per page exceeding 10 pages	0	12	0
(c) Copies of grounds of appeal only and not of decrees (including grounds of appeal)	1	8	0
9 (a) Unattested copies of depositions where there is a stenographer and application is made beforehand	0	6	0
(up to 4 pages)			
(b) Unattested copies of depositions when application is not made beforehand or where there is no stenographer	0	12	0
(up to 4 pages)			
(c) Unattested copies of plaints, exhibits or documents other than those specified in item 7	0	12	0
(up to 4 pages)			
(d) Unattested copies when the copy exceeds 4 pages extra per page exceeding 4 pages	0	1	6

(Note:—1/4th of the fee so realized shall be paid to the Court stenographers concerned)

10 Contested mutations including a genealogical table and shajra of fields	3	0	0
11 Uncontested mutations including a genealogical table and shajra of fields	1	8	0
12 Khasra Paimaish 6 pies per khasra number, subject to maximum of annas 9, the amount to be calculated to the nearest anna			
13 Khatauni Paimaish annas 3 per khata, subject to a minimum of annas 9			
14 Parcha Tasdiq	2	4	0
15 Plans, pedigree table and musavi akas and other miscellaneous papers	Fees will be assessed by Officer-in-Charge of the copying agency		
	Appeal against the sum so assessed shall lie to the Collector whose decision shall be final		

	Rs.	As.	Ps.		Rs.	As.	P.
16 Letters	1	2	0	57 Naqsha Marg			
17 Award—				58 Fard hulla			
(a) Agreement for reference to arbitration	0	12	0	59 Fard jama talashi			
(b) In suits and land acquisition files. As for Civil Judgments				60 Charge sheet			
(c) Private award	4	8	0	61 Medical result			
18 Registered bonds	1	8	0	62 Finger print Bureau's report	0	15	0
19 Mortgage and sale deeds	1	8	0	63 List of witnesses			
20 Compromise deeds	1	8	0	64 Misal hissa kashi (for each separate copy)			
21 Intermediate orders up to one page	0	12	0	65 Statement in muafi cases proclamation notices			
More than one page	3	0	0	66 Final order passed such as "For reasons recorded in my Judgment in suit so and so. I dismiss the suit"	0	6	0
22 Final order in execution and objection cases up to one page	1	8	0	67 Final orders confirming the preliminary decree	0	6	0
More than one page	3	0	0	68 Order by which the final order is amended or modified	0	6	0
23 Post-mortem report	1	8	0	69 Succession certificate or Judgment in appeals against orders regarding succession certificates			
24 (i) Report of officers in lam-bardari, zaildari, chauki-dari, muafi, criminal and civil cases if allowed—				70 Guardianship certificates or judgments in appeals against orders regarding guardianship certificates	2	4	0
Chaukidar	0	12	0	71 Adjudication orders in insolvency cases, orders dismissing insolvency petitions or judgments in appeals against orders in insolvency cases			
Others	3	0	0	72 Order in mustajri cases			
(ii) Reports of Tehsildars proposing modes of partition in partition cases	3	0	0	73 (a) Orders passed under other sections of the Insolvency Act			
25 Bahi transliteration up to two pages	1	8	0	(b) Orders passed in guardianship and probate cases			
Above two pages	6	0	0	74 Rent deed			
26 Khasra khana shumari in Hindi and Urdu	1	2	0	75 List of documents			
27 Rivaj-i-Am	1	8	0	76 Auction certificate	0	15	0
28 Fard for bidding	1	8	0	77 Commissioner's report			
29				78 Copy of will deed			
30 Register Am				79 Deed of agreement of partnership			
31 Register Nikah				80 Office reports in execution cases and objection cases			
32 Register of stamps				81 Order of permanent injunction			
33 Goshwara				82 Tankih haquq muzarian	0	15	0
34 Warrant of arrest				83 (a) Shart wajib-ul araz	0	15	0
35 Warrant of attachment				(up to 3 pages)			
36 Warrant for possession				(b) If the copy exceeds 3 pages	0	6	0
37 Warrant for search							
38 Summons							
39 Notices							
40 Mukhtarnama							
41 Vakalatnama							
42 Post Cards	0	15	0				
43 Telegrams							
44 Darkhwast itlai							
45 Order on darkwast itlai							
46 Miscellaneous applications							
47 Robkars							
48 Report of civil peon							
49 Field Kanungo's report							
50 Talbana							
51 Receipts							
52 Bonds							
53 Issues							
54 Inspection notes							
55 Pronotes							
56 Hundis							
				81 Naqsha Chahat	0	15	0
				85 (a) All miscellaneous copies not included in above	0	15	0
				(b) Copies of judgments in petitions for revision	0	15	0

	Rs.	A.	P.
(c) Copy of an order passed in appeal under section 476-B of the Criminal Procedure Code	0	15	0
86 Fard Kharcha and naqsha jim in partition cases	0	15	9
87 Form Kami beshi darakhtan			
88. (i) Copies of orders involving first appointment or promotion or dismissal:—			
(a) When passed by a Senior Sub-Judge, or Judges, Small Cause Courts, or an administrative Sub-Judge or Collector or Deputy Commissioner or any officer below the rank of a Collector	1	8	0
(b) When passed by a financial Commissioner, Commissioner of a division, or District and Sessions Judge	3	0	0
(ii) Other orders relating to establishment. The above rates will apply to both attested and unattested copies	0	15	0
89 Orders by a Deputy Commissioner in cases of changes of castes			
90 Collector's order in execution files sent by civil courts for satisfaction for debt by lease			
91 Misl-i-Haqqiat			
92 Jamabandi			
	(a)	Six annas per khata up to eight holdings and one and a half anna for every additional holdings up to 8 pages	
	(b)	Where the copy exceeds 8 pages six annas per holding and one and a half anna extra for each additional page	
93 Collector's orders under the Punjab Restitution of Mortgaged Lands Act, IV of 1938	0	15	0
94 Applications under section 9 of the above Act—			
(i) Up to 10 pages	1	8	0
(ii) Exceeding 10 pages	0	12	0
	(per page exceeding 10 pages)		

Note:—(i) The charges shown against items 8 and 9 shall also apply to copies supplied in departmental inquiries.

(ii) All copies except those coming under heads 8, 9, 12, 13, and 15 where the copy exceeds 15 pages, shall be charged extra at the rate of annas 12 per page exceeding 15 pages.

(iii) For additional charges for copies required by post or by V.P.P. and for search fees reference be made to rules 13 and 21 (f).

(iv) The urgent fee is Rs. 1-8-0 for each copy. Urgent fee should be charged only when an urgent application has been made and priority is consequently given to it over other applications, and not when a copy is prepared and delivered on the same day in the ordinary course, vide rules 19 and 20.

(v) For the purposes of note (iv) the extra fee to be charged shall be for each paper, which can properly be regarded as a separate paper, e.g., every deposition of a witness or written statement of a party, or order of the court is a separate paper. In cases of doubt as to whether a paper is separate or not, the Officer-in-charge shall decide.

(vi) If two or three English type-written copies of a document are asked for there should be only one "Urgent fee". If the copies asked for are from four to six, the urgent fee should be twice as much, and so on. In the case of Urdu or Hindi (vernacular) script urgent fee should be charged for each copy. A remark to this effect should punctually be made in the remarks column of register C. D. 2.

Schedule "B"

In addition to the copying fees leviable under Schedule A, the following stamps are required to be affixed to the copy under articles 6 to 9 of Schedule I of the Court Fees Act, 1870, and article 24 of Schedule I-A of the Stamp Act, 1899, in respect of the copies mentioned therein.

Number

proper fee

Article 6-
Copy or translation of judgment or order not being or having the force of a decree.

When such judgment or order is passed by any civil court, other than the court of Judicial Commissioner, Himachal Pradesh, or by the presiding officer of any revenue court or office or by any other Judicial Executive authority. 1-0-0

When such judgment or order is passed by the Court of Judicial Commissioners, Himachal Pradesh. 2-0-0

Number	Proper fee	Number	Proper fee
Article 7- Copy of a decree or order having the force of a decree.	When such decree or order is made by any civil court other than the Court of Judicial Commissioner, Himachal Pradesh, or by any revenue court. 2-0-0	not otherwise provided for by this Act, or copy of any account, statement, report or the like, taken out of any civil or criminal or revenue court or office or from the office, of any Chief officer charged with the executive administration of a Division	
	When such decree or order is made by the Court of Judicial Commissioner, Himachal Pradesh. 4-0-0		
Article 8-Copy of any document liable to stamp-duty under the Indian Stamp Act, 1899, when left by any party to a suit or proceeding in place of the original withdrawn.	(a) When the Stamp-duty chargeable on the original does not exceed eight annas. The amount of the duty chargeable on the original As. 12 (b) In any other case.	Article 24-Copy (i) If the original was or extract certified to be a true copy or extract by or by order or any public officer and not chargeable under the law for the time being in force relating to court-fees (ii) If any other case not falling within the provision of Section 6-A	not chargeable with duty or if the duty with which it was chargeable does not exceed one rupee. 12 2 rupees
Article 9-Copy of any revenue or judicial proceeding or order	For every three hundred and sixty words or fraction of three hundred and sixty words annas 8		

APPENDIX II FORMS AND REGISTERS

(Application Form)

C. D. I.

(Referred to in rule 10)

URGENT

ORDINARY

Affix here Court-Fee Stamp of annas 4 and Court-Fee Stamp of the cost of copy

1 The applicant requests that copies detailed in statement NO. 1 be granted:									
Class of case whether— (1) Civil, Criminal, Revenue or Miscellaneous (2) Original or Appeal	Name of parties Plaintiff or complainant Defendant or accused	Nature of case with valuation of suit or description of offence, as the case may be	Name of village or place, with hadbast number where the property in dispute is situated, or where dispute arose or offence was committed	Names of presiding officers of the subordinate and appellate court, if any	Dates of decision first and of appellate courts	Purpose for which copy is required	Detail of copies required	Seal or signature of the applicant	
1	2	3	4	5	6	7	8	9	10
STATEMENT No. II—APPLICANTS FULL ADDRESS									
Name to be written clearly	Parentage	Occupation	Address						
			District	Tehsil and Thana	Name of village and of Post Office				
11	12	13	14	15	16				

FEES CHARGEABLE	
18	Copying fee
19	Urgent fee
20	Search fee
21	V.P.P. and registration charges
22	Total of columns 18 to 21
23	Date of delivery
24	Initial of copying agent authorising the delivery
25	Balance due from the applicant (if any)
26	Date of recovery of balance
27	Serial No. of C.D. 3 in respect of the balance
28	Sl. No. of register of copies pending clearance (in case of undelivered copies)
29	Balance due to applicant
30	Amount to be deducted, if any
31	Net amount due for refund to the applicant
32	Reference to the No. & date of the refund voucher
33	Date of filing the case of undelivered copies in which no balance is due from the applicant
34	Initial of the copying agent
35	Remarks

C. D. 3

(Referred to in rule 58)

Daily Income Register

Sl. No.	Date	Serial No. of register C. D. 2	Copying fee	V.P.P. charges	Registration charges	Urgent fee.	Search fee	Total amount received	Initial of the Attesting Officer
1	2	3	4	5	6	7	8	9	10
			Rs. A.	Rs. A.	Rs. A.	Rs. A.	Rs. A.	Rs. A.	

C. D. 4

(Referred to in rule 9)

Permanent advance Register

Date	Balance of day	Paid on Account of Refund		Recoupment by contingent bill amount of refund	Daily total of expenditure	Balance
1	2	Number of	Amount	5	6	7
	Rs. A. P.	3	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.

C. D. 5

(Referred to in rule 47)

Register of Individual daily outturn to be maintained by each copyist

Name of copyist.....

Month and date	No. in C. D. 2 of copy supplied	Daily Work Done			Cost of the copy	Initials of the Examiner (Translator) with dates in token of having examined the copies ready for delivery	Daily remarks as to adequate or inadequate outturn by the Deputy clerk of Court (Copying Agent)
		English type-written pages	English hand-written pages	Urdu Hindi pages			

C. D. 6

(Referred to in rule 14)

Register of cash and V. P. P. Payments to be maintained by the Copying Supervisor

Date	Application	Cash received by M. O.	Payments made by V. P. P.	Court-fee stamps purchased, affixed and cancelled	Received of Translation	Serial No. of the Money order or V.P.P coupons in the guard-file rule 14
1	2	3	4	5	6	7
		Rs. A. P.	Rs. A. P.	Rs. A. P.		

C. D. 7

(Referred to in rule 21)

File fetchers hand book of applications received as requisitions for files

Number of appli- cation as regis- tered in C.D.2 with value of court-fee stamps attached 1	Name of court or pargana to which the application relates 2	Signature of Ahlmad of Court or Moharrir Record room 3	Date of receipt of file from the record room or the court concerned 4	Signature of file-fetcher copying agent and copyist receiving the file and the number of leaves 5

C. D. 8

(Referred to in rule 21)

Register of files issued to and returned from copying Agencies to be maintained
by file-fetcher, Courts and Head Record Keeper

Serial No.	Date	Applica- tion No.	Gosh- wara or Register General No.	Case No.	Date of decision or hearing	Parties names	Nature of case	Name of Court	Whether search fee recom- mended or not	Signature of the official receiving the file	Signature of the official returning the file
1	2	3	4	5	6	7	8	9	10	11	12

C. D. 9.

(Referred to in rule 38)

Refund Voucher

Name of applicant --

Serial No. of C. D. 2	Total amount deposited in advance	Total amount charged for copying-fee. Urgent Fee. Search Fee, Registr- ation and Postage charges	Amount de- posited in excess column 2-3	Deduction allowed	Net amount refundable	Remarks
1	2	3	4	5	6	7
	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	

Certified that the above particulars have been checked by me.

(Clerk of Court)

Copying Agent (Deputy Clerk of Court)

In cash

Pay Rs.

By money Order

Received the sum of Rs.

Officer-in-Charge (Assistant Secretary)

Date

Signature of applicant.

Note :—In case of remittances by Money Order coupons should be pasted on this form.

C. D. 10

(Referred to in rule 18)

Receipt No. _____ C. D. 10

Received from _____

an application, dated _____

COPIES

STAMPS

for a copy with court-fee stamp of the value of Rupees (in words) _____

affixed to it which has been entered as

No. _____ in C. D. register No. 2.

The applicant should call for the

copy on _____ (date)

Copying Agent.

Receipt No. _____ C. D. 10

Received from _____

an application, dated _____

COPIES

STAMPS

for a copy with court-fee stamp of the value of Rupees (in words) _____

affixed to it which has been entered as

No. _____ in C. D. register No. 2.

The applicant should call for the

copy on _____ (date)

Copying Agent.

C. D. 11

(Referred to in rule 39 (7))

Register of refused V.P.P's and Balance of fees due

Serial No.	Name and address of Applicant	Number of entry in C.D. 2 for which fees are due.	Amount or balance due	Included in statement for month of..... for recovery as arrear of Land Revenue (rule 58(b))	Date of recovery with reference to serial No. of guard file of V.P.P. and Money Order coupons	Remarks
1	2	3	4	5	6	7

Simla-4, the 21st December, 1955

No. R.-60-144/55.—Whereas it appears to the Lieutenant Governor, Himachal Pradesh, that land is likely to be required to be taken by the Government at the public expense for a public purpose, namely for the construction of Power House in village Khakarola, Tehsil Rampur, District Mahasu, it is hereby notified that the land in the locality described below is likely to be required for the above purpose.

2. This notification is made under the provisions of Section 4 of the Land Acquisition Act, 1894, as applied to Himachal Pradesh to all whom it may concern.

3. In exercise of the powers conferred by the aforesaid section, the Lieutenant Governor is pleased to authorise the officers for the time being engaged in the undertaking with their servants and work-men to enter upon and survey any land in the locality and do all other acts required or permitted by that section.

4. Any person interested who has any objection to the acquisition of any land in the locality may, within thirty days of the publication of this notification, file an objection in writing before the Collector of Land Acquisition, Himachal Pradesh, P. W. D.

Simla.

SPECIFICATION

District: MAHASU Tehsil: RAMPUR
Village: KHAKEHOLA.

Khasra No.	Area	
	Bighas	Biswas
77	0	14
93	0	6
371/101/1	1	16
140/1	0	2
149/1	0	5
150/1	0	9
152/1	0	1
153/1	0	6
116/1	0	15
382/123/1	0	1
23	1	3
90	0	16
95	0	4
98	0	3
378/109/1	0	1
119/1	0	11
120/1	0	1
121/1	0	5
122/1	0	2
381/123/1	0	3
148/1	0	2
151/1	0	12
393/178/1	0	1
183/1	0	2
189/1	42	16
189/2	2	8
189/3	0	3
189/4	10	10
189/5	5	15
199	0	3
74	0	8
75	2	6
76/1	0	16
86/1	0	5
380/123/1	0	3
114/1	0	15
198/1	1	16
197/1	0	1
94	0	14
96	0	10
97	0	8
117/1	0	2
379/123/1	0	2
24	0	10
22	0	5
124/1	0	9
145	0	7
147/1	0	1
78	0	1
80	0	1
87	0	5
91	0	3
92	0	10
99	0	3
79	0	19
81/1	0	1
88	0	3
89	0	6
100	0	4
141/1	1	2

Simla-4, the 26th December, 1955

No. R 60-156/55.—Whereas it appears to the Lieutenant Governor, Himachal Pradesh that land is likely to be required to be taken by the Government at the public expense for a public purpose, namely for construction of Health Centre Building with staff quarters, it is hereby notified that the land in the locality described below is likely to be required for the above purpose.

2. This notification is made under provisions of Section 4 of the Land Acquisition Act, 1894, as applied to Himachal Pradesh to all whom it may concern.

3. In exercise of the powers conferred by the aforesaid section, the Lieutenant Governor is pleased to authorise the officers for the time being engaged in the undertaking with their servants and workmen to enter upon and survey any land in the locality and do all other acts required or permitted by that section.

4. Any person interested who has any objection to the acquisition of any land in the locality may, within thirty days of the publication of this notification file an objection in writing before the Collector of Mandi District.

SPECIFICATION

District: MANDI Tehsil: SADAR
Village: SURAH, MANDI TOWN
Khasra No. Area

	Big.	Bis.	Biswansis
72	1	4	3

By order,
BASANT RAI,
Assistant Secretary.

Development Department

TENDER NOTICE

Simla-4, the 28th December, 1955

No. Ft. 3-43/48.—In exercise of the powers conferred by Section 6 of the Indian Fisheries Act, IV of 1897, and Section 3 and 4 of the Punjab Fisheries Act, II of 1914, as applied to the State of Himachal Pradesh, the Lieutenant Governor, Himachal Pradesh, is pleased to make the following amendment to the rules for the "Regulation of Fishing in Himachal Pradesh" promulgated with Himachal Pradesh Government Notification No. Ft. 3-43/48, dated the 23rd February, 1952:—

In rule 1 of Part B, Fishing in the Trout Waters, line 3 substitute "Village Sandoor in Rohru tehsil" for "old bridge, at Rohru".

By order,
A. MALIK,
Additional Secretary.

भाग 2—वैधानिक नियमों को छोड़ कर विभिन्न विभागों के अध्यक्षों और जिला मैजिस्ट्रेटों द्वारा अधिमूचनाएं इत्यादि.

Office of the District and Sessions Judge, Mahasu,
Sirmur and Bilaspur Districts

ORDER

Simla-1, the 23rd/24th December, 1955

No. R-36-(29)/55.—As the Lieut.-Governor, Himachal Pradesh, under section 11 (1) of the Punjab Village Panchayat Act, 1939 as applied to Bilaspur District, has been pleased to abolish all the Panchayats existing on 31st March, 1955, in Bilaspur District vide his Notification No. CS-111-122/54, dated the 1st May, 1955, therefore in exercise of the powers conferred by Section 11 (2) (c) of the Punjab Village Panchayat Act, 1939, I, Tej Singh Vaidya, District Judge, Mahasu, Sirmur and Bilaspur Districts hereby withdraw all the civil cases pending before the Panchayats in the Bilaspur District, and make them over as to the Civil Courts mentioned hereunder for disposal accordingly to law.

Cases withdrawn from the }
Panchayats existing in the } The Senior
Sadar Tehsil in Bilaspur District to ... } Sub-Judge,
Bilaspur.

Cases withdrawn from the }
Panchayats existing in the } The Addi-
Ghumarwin Tehsil of Bilaspur } onal Sub-Judge
District to ... } Bilaspur.

TEJ SINGH VAIDYA,
District Judge.

Office of the District Magistrate Mahasu

NOTIFICATION

Kasumpti, the 27th December, 1955

No. 22-M3(10)/51.—As indicated under “1. Chini Tehsil Panchayat” in the schedule appended to this office Notification No. 22-M3

(10)/51 dated the 10th August, 1955 the remaining three members elected by the Gram Panchayats concerned for Chini Tehsil Panchayat are indicated hereunder :—

Sl. No.	Name of Member	Representative of
1. CHINI TEHSIL PANCHAYAT		
9	Members nominated previously	Elected notified
10	Sh. Chatuk Charing r/o Chango	Lio Gram Sabha
11	Sh. Deshan Chharing	Poo Do
12	Sh. Dewan Sain	Kanam Do

RAGHUBIR SINGH,
District Magistrate.

Agriculture Department

NOTIFICATION

Simla-4, the 28th December, 1955

No. Agr. 5-174/49.—Shri S. P. Jain Officiating, District Agriculture Officer, Mahasu District, is hereby granted 22 days' earned leave from 28-12-55 to 18-1-56 (both days inclusive) subject to the verification to title to leave.

PUSHKAR NATH,
Director.

भाग 3—अधिनियम, विधेयक, और विधेयकों पर प्रवर समिति के प्रतिवेदन, वैधानिक नियम तथा हिमाचल प्रदेश के उपराज्यपाल, जूडिशल कमिशनरज कोर्ट, फाइनेन्शल कमिशनर, कमिशनर आफ इन्कम टैक्स द्वारा अधिमूचित आदेश इत्यादि।

Vidhan Sabha

अधिमूचना

शिमला-4, 17 दिसम्बर, 1955

सं० बी० एस० 215/55.—हिमाचल प्रदेश के प्रक्रिया नियमों के नियम 102 के अधीन निम्न-लिखित विधेयक जैसा कि हिमाचल प्रदेश विधान सभा में 10 दिसम्बर, 1955 को पुरः स्थापित हुआ, एतद् द्वारा सर्वसामान्य की सूचनार्थ प्रकाशित किया जाता है।

हिमाचल प्रदेश पंचायत राज (संशोधन) विधेयक 1955

(जैसा कि विधान सभा में पुरः स्थापित हुआ)

हिमाचल प्रदेश पंचायत राज ऐक्ट, 1952 में संशोधन करने का विधेयक

यह भारतीय गणतन्त्र के छठे वर्ष में हिमाचल प्रदेश विधान सभा द्वारा निम्नलिखित रूप में अधिनियमित किया जाए :—

1. संक्षिप्त नाम, प्रसार और प्रारम्भ.—(1) इस अधिनियम का नाम हिमाचल प्रदेश पंचायत राज (संशोधन) अधिनियम, 1955 होगा।

(2) इसका प्रसार समस्त हिमाचल प्रदेश में होगा।

(3) यह तुरन्त प्रचलित होगा।

2. 1953 के ऐक्ट 6 में एक नई धारा 18-A का बढ़ाया जाना.— हिमाचल प्रदेश पंचायत राज ऐक्ट, 1952 (ऐक्ट नं० 6, 1953) की धारा 18 के पश्चात् निम्नलिखित धारा 18-A के रूप में बढ़ा दी जाए:—

“18-A. Powers of State Government to direct supply of labour for developmental works and other public purposes.—The State Government may direct that adults residing within the jurisdiction of a Gram Sabha shall furnish unskilled labour free of cost for a public purpose including a developmental work in such manner as may be prescribed and the adults concerned shall be bound to comply with the said direction”.

उद्देश्य तथा कारणों का विवरण

इस विधेयक द्वारा, हिमाचल प्रदेश पंचायत राज ऐक्ट, 1952 की धारा 18 के पश्चात् एक नई धारा 18-A बढ़ाने की व्यवस्था की गई है। इस में किसी सार्वजनिक प्रयोजन के लिए जिस के अन्तर्गत विकास-कार्य (developmental work) भी सम्मिलित है, निःशुल्क अकुशल श्रम लेने के लिए एक उपबन्ध बनाया गया है जिसमें कि देहाती इलाकों में विकास कार्य अधिक उन्नति कर सके।

बंशी धर शर्मा

मन्त्रि

भाग 4—स्थानीय स्वायत्त शासन: म्युनिसिपल बोर्ड, डिस्ट्रिक्ट बोर्ड, नोर्टीफाइड और टाउन एरिया तथा पंचायत विभाग शून्य

भाग 5—वैयक्तिक अधिसूचनाएं और विज्ञापन

न्यायालय श्रीमान जे० पी० ठाकुर साहिब सीनियर सब जज महोदय
चम्बा, हिमाचल प्रदेश

बमुकद्मा दरखास्त हसूली सर्टिफिकेट वरास्त

अकबर पुत्र गोंसा जाती मुसलमान सकना सिमनी परगना भलेई जेर
दफा 372 इन्डीयन सक्लेशन एक्ट 39, 1925 ई०

मुसम्मात जन्ती देबा अकबर जात मुसलमान ग्राम सिमनी पंगना भलेई
तहसील चुराह जिला चम्बा... साइला।

बनाम

अवाम

अलनास

फिक दोइम

साइला ने अदालत हजा में दरखास्त की है कि उस का पति 6 मंवर,
सम्बत 2009 वि० को फौत हो चुका है। उस का 200 रुपये जर

रहन जमा खजाना चम्बा द्वारा माल अकसर महोदय चम्बा वहक मतोफी
अकबर है। उस की साइला वाहिद हकदार है। इस लिए हर खास व
आम पब्लिक को वजरिया नोटिस द्वारा सूचित किया जाता है कि दरखास्त
साइला की समायत के वास्ते 11-1-56 को पेशी नियत हुई है। अगर
किसी को कोई एतराज निसबत दिये जाने सर्टिफिकेट वरास्त हो तो नइ
असालतन या वजरिया वकील तारीख मुकर्ररा पर हाजिर हो कर
अपने उजर तहरीरी पेश करे वरना बाद समायत मुकद्मा साइला को
सर्टिफिकेट वरास्त मजकूर अता किया जावेगा।

आज बतारीख 12-12-55 बसवत दस्तखत हमारे व मोहर अदालत
से जारी हुआ।

मोहर

जे० पी० ठाकुर,

सीनियर सब जज,

IN THE COURT OF THE COMPETENT
OFFICER, HIMACHAL PRADESH,
SIMLA-1

Form 'B'

Form of General Notice Under Section 6

WHEREAS information has been laid before me that the property described in the Schedule hereto annexed.

AND WHEREAS the evacuee interest in the said property is to be separated from other interests.

I, now, hereby call upon all the persons having an interest in the said property to submit their claims in the prescribed form to me within sixty days from the date of this notice.

Given under my hand and the seal of my office, this 7th day of December, 1955.

CHET RAM,
Competent Officer.

भाग 6— भारतीय राजपत्र इत्यादि में से पुनः प्रकाशन

Home, Gazette & Transport Department

schedule.

NOTIFICATION

Simla-4, the 26th December, 1955

No. HGT-21-2/55.—The following orders issued by the Government of India, Ministry of Information and Broadcasting & published in the Gazette of India, Part II, Section 3 are hereby republished for information of general public.

1. Order No. 1/16/55-F., App/56, dated 4.11.55
2. Order No. 1/16/55. F. App/57, dated 10-11-55.
3. Order No. 1/16/55-F. App/58, dated 17-11-55.

SHIV SINGH, P. C. S.,
Assistant Secretary (Home).

Government of India
Ministry of Information and Broadcasting

ORDER

New Delhi-2, the 4th November, 1955

S.R.O.—In pursuance of clause 2 of the directions issued under the provisions of each of the enactments specified in the First Schedule to the Order of the Government of India, in the Ministry of Information and Broadcasting, S. R. O. 945, dated the 28th April, 1955, the Central Government, with previous approval of the Film Advisory Board, Bombay, hereby certifies the film specified in column 2 of the Schedule hereto annexed, in all its language versions, to be of the description specified against it in the corresponding entry of column 5 of the said

SCHEDULE

Sl. No.	Title of the film	Name of the producer	Source of supply	Whether a scientific film or a film intended for educational purposes or a film dealing with new and current events or a documentary film	
				1	2
1	Indian News Review	Govt. of India, Films Division, No. 368	Govt. of India, Films Division, Bombay	Film dealing with news and current events	

(1/16/55-F: App/56)

Government of India
Ministry of Information & Broadcasting

ORDER

New Delhi-2, the 10th November, 1955

S.R.O.—In pursuance of clause 2 of the directions issued under the provisions of each of the enactments specified in the First Schedule to the Order of the Government of India in the Ministry of Information and Broadcasting, S.R.O. 945, dated the 28th April, 1955, the Central Government with previous approval of the Film Advisory Board, Bombay hereby certifies the film specified in column 2 of the Schedule hereto annexed, in all its language versions, to be of the description specified against it in the corresponding